comprising the same nucleotide sequence shown in SEQ ID NO: 1 except that one or a plurality of nucleotides are substituted or deleted, or except that one or a plurality of nucleotides are inserted or added, which has an activity to promote expression of a structural gene located downstream of said nucleic acid fragment.

2. (Amended) The nucleic acid fragment according to claim 1, which hybridizes with the nucleic acid comprising the nucleotide sequence shown in SEQ ID NO: 1 under stringent conditions.

4. (Amended) The nucleic acid fragment according to claim 1, which comprises the nucleotide sequence shown in SEQ ID NO: 1.

6. (Amended) A recombinant vector comprising at least one nucleic acid fragment of claim 1 and a structural gene located downstream of said nucleic acid fragment whose expression is promoted by said nucleic acid fragment.

7. (Amended) The recombinant vector according to claim 6, wherein said nucleic acid fragment hybridizes with the nucleic acid comprising the nucleotide sequence shown in SEQ ID NO: 1 under stringent conditions.

9. (Amended) The recombinant vector according to claim 6, wherein said nucleic acid fragment comprises the nucleotide sequence shown in SEQ ID NO: 1.

10. (Amended) The recombinant vector according to any one of claims 6, 7 or 9, wherein said nucleic acid fragment is inserted in an intron sequence located upstream of said structural gene.

11. (Amended) The recombinant vector according to claim 10, wherein said intron sequence comprises the nucleotide sequence shown in SEQ ID NO: 3.

12. (Amended) The recombinant vector according to claim 10, wherein said intron sequence comprises the nucleotide sequence shown in SEQ ID NO: 2.

13. (Amended) A method for promoting expression of a structural gene, comprising inserting, at a location upstream of said structural gene, a nucleic acid fragment no more than 120 nucleotides in length comprising the nucleotide sequence shown in SEQ ID NO: 1 or a nucleic acid fragment, excluding the nucleic acid

having the nucleotide sequence shown in SEQ ID NO: 3, comprising the same nucleotide sequence as shown in SEQ ID NO: 1 except that one or a plurality of nucleotides are substituted or deleted, or except that one or a plurality of nucleotides are inserted or added, which has an activity to promote expression of a structural gene located downstream of said nucleic acid fragment.

14. (Amended) The method according to claim 13, wherein said nucleic acid fragment hybridizes with the nucleic acid comprising the nucleotide sequence shown in SEQ ID NO: 1 under stringent conditions.

16. (Amended) The method according to claim 13, wherein said nucleic acid fragment comprises the nucleotide sequence shown in SEQ ID NO: 1.

17. (Amended) The method according to any one of claims 13, 14 or 16, wherein said nucleic acid fragment is inserted in an intron sequence located upstream of said structural gene.

18. (Amended) The method according to claim 17, wherein said intron sequence comprises the nucleotide sequence shown in SEQ ID NO: 3.

Please add the following claims:

--21. The method according to claim 13, in which a plurality of said nucleic acid fragments is inserted upstream of said structural gene.

22. The method according to claim 14, in which a plurality of said nucleic acid fragments is inserted upstream of said structural gene.

23. The method according to claim 16, in which a plurality of said nucleic acid fragments is inserted upstream of said structural gene.

24. The method according to claim 17, in which a plurality of said nucleic acid fragments is inserted upstream of said structural gene.

25. The method according to claim 18, in which a plurality of said nucleic acid fragments is inserted upstream of said structural gene.

26. A plant, or progeny thereof, comprising the recombinant vector of claim 6.

27. A plant, or progeny thereof, comprising at least one nucleic acid fragment of claim 1 inserted into an intron of a structural gene.

28. The method of claim 13, wherein said structural gene is in a plant.

29. The method of claim 14, wherein said structural gene is in a plant.

30. The method of claim 16, wherein said structural gene is in a plant.

31. The method of claim 17, wherein said structural gene is in a plant.

32. The method of claim 18, wherein said structural gene is in a plant.--